

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, May 4, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisor: Silva, Campbell, Norby and Wilson

EXCUSED: Supervisor Smith

PRESENT: COUNTY EXECUTIVE OFFICER James D. Ruth
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Silva, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson presented a resolution proclaiming May 8, 2004 as "Adopt-a-Pet Day"

II. CONSENT CALENDAR (Items 1-15)

43125 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 4, 6 & 15 WHICH**
X **WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Chairman Wilson** - Assessment Appeals Board No. 5 - Reappoint Robert Curtis Wilson, Coto de Caza, for term ending 9/3/06

DEPARTMENT APPOINTMENTS

2. **Health Care Agency** - Alcohol and Drug Advisory Board and Local Suppression of Drug Abuse in Schools Advisory Committee - Appoint Sven Hansen, Santa Ana, to complete term ending 10/28/05 - All Districts

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COMMENDATIONS/PROCLAMATIONS

3. **Supervisor Campbell** - Adopt resolution commending Frank Michelena on his 75th birthday
 RESO: 04-112

HOUSING AND COMMUNITY SERVICES DEPARTMENT

4. Approve amended agreements with Human Options, Interval House, Laura's House and Women's Transitional Living Center for domestic violence shelter service programs, extending term to 6/30/06 (\$478,400 combined total) - All Districts

53124 **APPROVED AS RECOMMENDED**
 X

JOHN WAYNE AIRPORT

5. Approve price agreement N1000005805 with Landrum and Brown, Inc. for evaluation of automated software/web hosted gate management system, 5/4/04 - 5/3/05 (\$69,255); and make California Environmental Quality Act findings - District 2
6. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 5/18/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 3/9/04, Item 46; 3/23/04, Item 10; 3/30/04, Item 13; 4/20/04, Item 12)

24135 **APPROVED AS RECOMMENDED**
 X

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

7. Approve grant of easement and agreement with Irvine Ranch Water District for location of water disinfection facility in Irvine Regional Park and to transfer ownership and operational responsibilities for sewer lift station and force main; and make related findings - District 3
8. Approve agreement D04-018 with Johnson-Frank & Associates, Inc. for on-call subdivision map checking services (\$56,333) - All Districts
9. Accept donation of fossil collection from Centex Homes, Hawks Pointe site, for public exhibit and display, Ralph B. Clark Paleo Interpretive Center - All Districts
10. Receive and file Traffic Committee Report dated 3/18/04; approve recommendations and adopt necessary resolution - District 5
 RESO: 04-113
11. Approve cooperative agreement with California Department of Transportation for relinquishment of a portion of Bristol Street from Irvine Avenue/Campus Drive to SR-73 - District 2

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PUBLIC PROTECTION

Sheriff-Coroner:

12. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for emergency replacement of water softener system, Intake Release Center; set review to determine continuing need for emergency action for 5/18/04, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 3/16/04, Item 36; 3/30/04, Item 41; 4/20/04, 40)
13. Approve rental indemnification agreement with City of Orange for Correctional Programs Volunteer Appreciation picnic to be held at Hart Park, and authorize expenditure from Inmate Welfare Fund, 5/15/04 (\$4,000) - District 3

GENERAL ADMINISTRATION

14. **County Executive Office** - Approve price agreement N1000005911 with CPS Human Resources Services for Phase 2 Human Resources Organizational Review, 5/5/04 - 9/30/04 (\$49,500) - All Districts
15. **Treasurer-Tax Collector** - Approve discharge of accountability of unpaid delinquent unsecured and unsecured supplemental property taxes - All Districts

34125 **APPROVED AS RECOMMENDED**

X

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 16-S20B)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

16. Receive and file programming study reports, "County of Orange South Court Facility Program" and "County of Orange South Court Facility Master Plan Report", South Court Facilities; authorize negotiation of amended agreement with GKK Corporation for preparation of design and specifications and return to the Board for approval; and direct CEO to perform preliminary analysis of funding options for New South Court project and return to Board for direction at time of approval and amendment - District 5
- 53124 **APPROVED AS RECOMMENDED**
X
17. Approve take over agreement with American Manufacturers Mutual Insurance Company, a subsidiary of Kemper Insurance for completion of Superior Court/Remodel Floors 9-11- District 1 (Continued RA # 4 & 5 from 4/27/04, Item S40A)
- B.O. **CONTINUED TO 5/11/04, 9:30 A.M.**

PUBLIC PROTECTION

18. **Probation** - Approve price agreement N5000002756 with BI, Inc. for lease of equipment/hardware and provision of off-site centralized monitoring services, Juvenile Offender Supervised Electronic Confinement Program, 6/1/04 - 5/31/05 (\$140,000) - All Districts
- 43125 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

19. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
- 43125 **APPROVED AS RECOMMENDED WITH EXCEPTION OF POSITION ON AB 2687**
X
- 32145 **APPROVED SUPPORT POSITION ON AB 2687**
X
20. Authorize negotiation with Orange County Employees Retirement System regarding amended and restated Memorandum of Understanding for Additional Retiree Benefit Account; and return to the Board for approval - All Districts
- 23145 **APPROVED AS RECOMMENDED**
X

Chairman Wilson:

- S20A. Adopt resolution declaring May 10-16, 2004 as "Cover the Uninsured Week"
- 52134 **APPROVED AS RECOMMENDED**
X
- RESO: 04-114*

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- S20B. Provide direction to staff regarding decertification of Direct Record Electronic Voting System
B.O. **DIRECTED STAFF TO RETURN TO THE BOARD ON 5/25/04, 9:30 A.M., WITH AN
UPDATED STATUS**

IV. PUBLIC HEARINGS (Items 21-24)

HEALTH CARE AGENCY

21. Public Hearing to consider adopting resolution approving amended basic life support ambulance rates and advanced life support paramedic assessment and transport fee, as requested by Orange County Fire Authority Board of Directors (OCFA), effective 7/1/04; direct Agency to return to the Board annually for fee adjustment; authorize OCFA to conduct competitive process for selection and award of emergency ambulance agreements for certain areas; and make California Environmental Quality Act findings - All Districts (Continued from 4/27/04, Item 41)
B.O. **CONTINUED TO 5/11/04, 9:30 A.M.**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

22. Public Hearing to consider approving amended Annual Action Plans, FYs 2001- 2003 for reprogramming of Community Development Block Grant funds (\$2.4 million); approve Final Annual Action Plan, FY 2004-05, and authorize submission to U.S. Department of Housing and Urban Development; and authorize Director or designee to approve related actions and execute related documents under certain conditions - All Districts
B.O. **CLOSED PUBLIC HEARING**

- 25134 **APPROVED AS RECOMMENDED**
X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

23. Public Hearing to consider approving easement deed and agreement PM126-35 with San Juan Capistrano for recreational trail easement, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5 (4/5 vote)
B.O. **CLOSED PUBLIC HEARING**

- 52134 **APPROVED AS RECOMMENDED**
X

24. Public Hearing to consider adopting resolution amending the County Unincorporated Area Non-Disposal Facility Element; authorize director to distribute adopted amendment to cities within 30 days and submit same to California Integrated Waste Management Board for approval - All Districts
B.O. **CLOSED PUBLIC HEARING**

- 34125 **APPROVED AS RECOMMENDED**
X
RESO: 04-115

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V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **County Counsel - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**
Pursuant to Government Code Section 54956.9(b):

Number of Cases: One Case

B.O. **CONTINUED TO 5/11/04, 9:30 A.M.**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Larry Laven - Oral Re: Software tracking patients for billing purposes

Darrell Nolta - Oral Re: Secretary's State action regarding Orange County voting system

BOARD COMMENTS:

None

ADJOURNED: 10:57 A.M.

25134 **Adjourned in memory of John W. McClanahan**
X

35124 **Adjourned in memory of Specialist Trevor Win'E**
X

35124 **Adjourned in memory of James Rollins**
X

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

Right Margin Notes

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board